

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q89294

Yasuo MIZOTA

Allowed: October 6, 2008

Appln. No.: 10/543,192

Group Art Unit: 1791

Confirmation No.: 9963

Examiner: Geoffrey L. KNABLE

Filed: July 22, 2005

For: DEVICE OF FORMING TIRE REINFORCING LAYER

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e).

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application (Japan Patent Office Action dated September 24, 2008) citing such documents, together with an English-language version (if not already

included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

Other documents listed on the Japan Patent Office Action that were previously cited in the Information Disclosure Statement dated July 22, 2005, are JP 2001-232695, JP 2003-062916, and JP 2003-251711. Moreover, listed document JP 11-99654 corresponds to EP 0 904 959, which was also cited in the Information Disclosure Statement dated July 22, 2005.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/John M. Bird/

John M. Bird
Registration No. 46,027

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 7, 2008

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

/John M. Bird/

John M. Bird
Registration No. 46,027

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